

## **EMOTIONAL MALTREATMENT**

### **I. DEFINITION OF EMOTIONAL MALTREATMENT:**

A passive or active patterned non-nurturing behavior by a parent or caretaker that negatively affects and/or handicaps a child emotionally, psychologically, physically, intellectually, socially, and/or developmentally.

Emotional Maltreatment is a pattern of parental or caretaker behavior which causes emotional or mental injury to the child; produces easily observable abnormal behavior in the child; and, which if unchanged, will permanently impair the child's ability to function normally.

To establish emotional maltreatment there must be evidence of substantially diminished psychological or intellectual functioning in the child and this condition must be attributable to the parent's/caretaker's conduct. Three factors are present in emotional maltreatment:

- Parental/caretaker pattern of behavior has a harmful effect on the child's emotional health and well-being;
- The harmful effect can be observed in the child's abnormal performance and behavior; and,
- There is substantial impairment to the child's ability to function as a normal human being – to think, to learn, to enter into relationships – due to parental/caretaker's conduct.

Assessment of the child's emotional health should be conducted by a qualified professional. The psychological or psychiatric evaluation should specify the level of the child's dysfunction, and to a reasonable medical certainty, whether the dysfunction is causally linked to the acts or omissions of the parent/caretaker.

### **II. INDICATORS/CHARACTERISTICS OF EMOTIONAL MALTREATMENT:**

The indicators of child abuse and neglect vary. No child or caretaker will exhibit all of the physical or behavioral indicators and some of the indicators are contradictory. The behavior of an abused or neglected child and other family members may be sporadic and unpredictable. Indicators should be used only as a general guide. The presence of multiple indicators or the pervasiveness of any one behavioral indicator warrants close scrutiny by the worker.

#### **CHILD BEHAVIORAL INDICATORS**

- Habit disorders such as sucking, biting, rocking, enuresis, soiling, or feeding disorders

- Conduct disorders including self-destructive and antisocial behavior, such as oblivious to hazards and risks, destructiveness, cruelty to self and others, stealing, hyperactivity, and disruptiveness
- Neurotic disorders such as sleep problems, uninhibited play, depression, anxiety, and fearfulness
- Behavior extremes such as extremely passive or aggressive, impulsive, overly compliant, very demanding, or withdrawn
- Overly adaptive behaviors which are either inappropriately adult (parenting other children for example) or inappropriately infantile (rocking, head-banging, or thumb-sucking for example)

#### **CHILD PHYSICAL INDICATORS**

- Lags in physical development
- Failure to thrive
- Lags in emotional development
- Empty or blank expression
- Speech disorders
- Lags in intellectual development
- Attempted suicide
- Avoidance of eye contact
- Stress related physical symptoms, i.e., enuresis, hair pulling, ulcers, headaches, hives

#### **FAMILY/PARENTAL CHARACTERISTICS AND BEHAVIORAL INDICATORS**

- Verbal scapegoating and ridicule
- Extremely inappropriate expectations in performance and behavior, etc.
- Substance abuse
- Psychosis – may view child as monster

- Withholds love, sees child as bad or evil
- Ignoring, blaming, or rejecting, unconcerned about child, unwilling to accept help
- Threatens to health or safety, uses excessive physical punishment
- Bizarre behavior by parent
- Deprived of emotional support as children, lack of self-esteem
- Family may be socially isolated with few support systems
- Frequent marital problems and life crises, such as spouse abuse, noncommunicative marriage, loss of employment, high level of indebtedness, lack of housing, and conflicts between divorced or separated parents
- Lack of nurturing child-rearing practices

Emotional maltreatment means an injury to the intellectual or psychological capacity of a child as evidenced by an observable and substantial impairment in his/her ability to function within a normal range of performance and behavior, with due regard to his/her culture.

The results of emotional maltreatment cover the entire spectrum of psychological and mental dysfunction. In order for intervention to be indicated, the child's maladaptive behaviors must be clearly observable, unalterable through normal channels (such as school), circumstantially caused.

### **III. TYPES OF EVIDENCE:**

Written reports and verbal testimony from expert witnesses such as physician, psychologist, psychiatrist, counselor, social worker, child care workers, etc.

Chapter 210 requires the investigator to conduct a thorough investigation. To that end, investigators are allowed to contact anyone with information relevant to the CA/N report without the knowledge and/or consent of the parent. When the child is seen without parental consent, every effort should be made to involve the parents as quickly as possible.

MEMORANDA HISTORY: